

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Safety and Enforcement Division
Rail Transit Safety Branch

Resolution ST-187
December 15, 2016

P U B L I C R E D A C T E D

R E S O L U T I O N

RESOLUTION ST-187 GRANTING APPROVAL OF THE FINAL
REPORT ON THE 2015 TRIENNIAL SECURITY REVIEW OF
METROPOLITAN TRANSIT SYSTEM.

SUMMARY

This resolution approves the California Public Utilities Commission Safety and Enforcement Division's final report titled, "2015 Triennial Security Review of Metropolitan Transit System," dated November 4, 2016. The report compiles the results of Commission Staff review of Metropolitan Transit System's security program. Background information and review procedures only are included in the redacted report.

BACKGROUND

Commission General Order No. 164-D, "Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems" requires Commission Staff (Staff) to conduct a security review of the transit agencies operating rail fixed guideway systems triennially.

From 1996 to 2008, the Commission's Rail Transit Safety Branch (RTSB) partnered with the Transportation Security Administration (TSA) in performing rail transit security reviews. However, in the latter half of 2008, RTSB took over the responsibility of security reviews from the TSA.

San Diego Trolley, Inc. (SDTI) is the rail transit system subsidiary of the (San Diego) Metropolitan Transit System (MTS). Staff conducted a security review of MTS security program in June 2015. The SDTI Light Rail Transit system of MTS

operates over 53.5 miles on three routes, mostly double-tracked, with 53 stations. A full description of the system, along with the security review, including the scope, results, and recommendations, is contained in the final security review report identified in this resolution as Attachment A.

The security review results show that MTS is in compliance with its System Security Plan. Staff found five (5) areas of non-compliance during the review. Activities of each checklist can be found in Section D of the security report.

Staff sent MTS a copy of the draft security review report for a 30-day comment period on October 13, 2016. On October 26, 2016, MTS Chief of Police sent a formal email to Staff accepting the five (5) recommendations.

DISCUSSION

The final report, "2015 Triennial Security Review of Metropolitan Transit System," dated November 4, 2016, included as Attachment A, identifies Staff's activities for each of the FTA's five security elements evaluated during the security review. Staff recommends the Commission approve the final security review report titled, "2015 Triennial Security Review of Metropolitan Transit System" dated November 4, 2016.

Confidential Information

Public Utilities Code Section 583 states: "No information furnished to the commission by a public utility, or any business which is a subsidiary or affiliate of a public utility, or corporation which holds a controlling interest in a public utility, except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission, or by the commission or a commissioner in the course of a hearing or proceeding. Any present or former officer or employee of the commission who divulges any such information is guilty of a misdemeanor."

The confidential appendices, marked "[CONFIDENTIAL]" in the public copy of this resolution should remain confidential at this time.

NOTICE

On November 16, 2016, Staff's proposed resolution and request for approval of the final security review report titled, "2015 Triennial Security Review of Metropolitan Transit System," dated November 4, 2016, was published on the Commission's Daily Calendar.

COMMENTS

The draft resolution of the Safety and Enforcement Division in this matter was mailed in accordance with Section 311 of the Public Utilities Code and Rule 14.2(c) of the Commission's Rules of Practice and Procedure. _____ comments were received.

FINDINGS

1. The RTSB Staff conducted an on-site security review of MTS on June 17, 2015, and concluding that same day. Staff conducted a post-review exit conference with MTS management on June 17, 2015.
2. The security review results show MTS is generally in compliance with its System Security Plan, however, some program areas of non-compliance were identified during the review. These non-compliant items along with recommendations for corrective actions are described, where applicable, in the Findings/Comments/Recommendations section of each checklist and in the body of the Confidential version of the final staff report.
3. MTS has stated to Staff they have developed and implemented corrective action plans for the findings and recommendations identified in the report.

THEREFORE, IT IS ORDERED THAT:

1. The Safety and Enforcement Division's request for approval of the final security review report titled, "2015 Triennial Security Review of Metropolitan Transit System," dated November 4, 2016, is granted.
2. The Metropolitan Transit System shall submit to the Rail Transit Safety Branch plans and schedules for implementing all recommended corrective actions contained in the final security review report. Those plans and

schedules shall be submitted no later than 45 days from the effective date of this resolution.

3. The Metropolitan Transit System shall complete and implement all recommended corrective actions contained in the report, in accordance with the plans and schedules submitted to the Rail Transit Safety Branch.
4. The Metropolitan Transit System shall prepare and provide monthly status reports, beginning on January 30, 2017, to the Rail Transit Safety Branch. The reports shall contain detailed information on the implementation of all remaining recommended corrective actions contained in the final security review report. Monthly status reports shall be provided until all recommended corrective actions are implemented and completed.
5. This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on December 15, 2016; the following Commissioners voting favorably thereon:

TIMOTHY J. SULLIVAN
Executive Director

ATTACHMENT A